

2. Prep Solutions owns the following valid copyrights to the following information technology (“IT”) exam materials registered to Prep Solutions by the U.S. Copyright Office (the “Copyrighted Exams”). Prep Solutions has provided the Court with valid registration certificates for each of the below Copyrighted Exams:

- a. “98-349 Windows Operating System Fundamentals Version 1.0” (“98-349 Exam”) registered as TX 9-009-581 with an effective date of registration of September 23, 2021;
- b. “98-375 HTML5 Application Development Fundamentals Version 1.0” (“98-375 Exam”) registered as TX 9-009-571 with an effective date of registration of September 23, 2021;
- c. “AZ-104 Microsoft Azure Administrator Version 1.0” (“AZ-104 Exam”) registered as TX 9-009-578 with an effective date of registration of September 23, 2021;
- d. “AZ-204 Developing Solutions for Microsoft Azure Version 1.0” (“AZ-204 Exam”) registered as TX 9-009-521 with an effective date of registration of September 23, 2021;
- e. “AZ-500 Microsoft Azure Security Technologies (beta) Version 1.0” (“AZ-500 Exam”) registered as TX 9-009-536 with an effective date of registration of September 23, 2021;
- f. “AZ-900 Microsoft Azure Fundamentals Version 1.0” (“AZ-900 Exam”) registered as TX 9-009-575 with an effective date of registration of September 23, 2021;
- g. “MB-230 Microsoft Dynamics 365 for Customer Service Version 1.0” (“MB-230 Exam”) registered as TX 9-009-530 with an effective date of registration of September 23, 2021;
- h. “MD-100 Windows 10 Version 1.0” (“MD-100 Exam”) registered as TX 9-9-528 with an effective date of registration of September 23, 2021;
- i. “MD-101 Managing Modern Desktops Version 1.0” (“MD-101 Exam”) registered as TX 9-010-275 with an effective date of registration of September 23, 2021;
- j. “MS-100 Microsoft Identity and Services Version 1.0” (“MS-100 Exam”) registered as TX 9-009-540 with an effective date of registration of September 23, 2021;

- k. “MS-700 Managing Microsoft Teams Version 1.0” (“MS-700 Exam”) registered as TX 9-009-532 with an effective date of registration of September 23, 2021;
- l. “MS-900 Microsoft 365 Fundamentals Version 1.0” (“MS-900 Exam”) registered as TX 9-009-606 with an effective date of registration of September 23, 2021.
- m. “PL-100 Microsoft Power Platform App Maker Version 1.0” (“PL-100 Exam”) registered as TX 9-009-538 with an effective date of registration of September 23, 2021.

3. This Court has personal jurisdiction over Defendants, as they have sold infringing copies of Prep Solutions’ Copyrighted Exams in Texas and throughout the United States, including the Eastern District of Texas, through at least their commercial, interactive websites listed below. In addition, this Court is the proper venue for this action.

| Defendant | Defendant’s Website(s) | Copyrighted Exam(s) Distributed on Defendant’s Website(s) |
|---|---|--|
| Techono Ltd. | www.dumpsarena.com | AZ-104, AZ-204, AZ-500, AZ-900 |
| | www.dumpsboss.com | MS-100, MS-700, MS-900, PL-100 |
| ASoft Solutions 4Team | www.vceplus.io (vceplus.com redirects traffic to vceplus.io) | MD-100, MD-101 |
| | www.vceguide.com | AZ-500, MS-700, PL-100 |
| | www.vceup.com | AZ-204, AZ-500 |
| | www.vuetut.com | AZ-104 |
| Elephant Projects | www.testpreptraining.com | MS-900, PL-100, DP-100 |
| Xcerts.com | www.xcerts.com | AZ-500, AZ-900 |
| ExamPoster | www.examposter.com | AZ-204 |
| Certbus.com (also d/b/a Lead4Pass.com and Pass4Lead.com) | www.certbus.com | MS-900, PL-100 |
| | www.lead4pass.com | 98-349, 98-375 |
| | www.pass4lead.com | AZ-500, AZ-900 |
| ExamHighPass (also d/b/a CertPixel) | www.examhighpass.com | MS-100, MS-700 |

4. Defendants are either an individual, corporation, partnership, or unincorporated association and therefore have the capacity to be sued under Federal Rule of Civil Procedure 17(b).

5. Defendants have been properly served with the summons and complaint and have failed to appear or otherwise defend within the time required by the Federal Rules of Civil Procedure.

6. A Clerk's Entry of Default was entered against each Defendant on July 22, 2024.

7. The grounds for default against Defendants have been clearly established, there is no evidence that Defendants' default was caused by good faith mistake or excusable neglect, and there has been no showing of substantial prejudice or undue harshness that will result from the entry of a default judgment. *Lindsay v. Prive Corp.*, 161 F.3d 886, 893 (5th Cir. 1998). Accordingly, upon weighing the relevant factors for consideration, a default judgment is appropriate against Defendants.

8. Defendants have no known physical presence in the United States.

9. Prep Solutions further alleges Defendants have distributed unauthorized copies of the Copyrighted Exams as shown in the table in paragraph 3 above. Prep Solutions has provided evidence of Defendants' infringement of the Copyrighted Exams by submitting as exhibits to the Verified Complaint screenshots of the Copyrighted Exams posted on Defendants' websites. Prep Solutions also presented evidence of Defendants Techono Ltd., Elephant Projects, and Certbus.com continued infringement.

10. Having failed to plead or otherwise defend within the time required by the Federal Rules of Civil Procedure, this Court accepts as true Prep Solutions' allegations relating to Defendants' infringement of the Copyrighted Exams. *Eisenhour v. Stafford*, No. 9:12-CV-62, 2013 WL 6212725, at *2 (E.D. Tex. Nov. 26, 2013). In addition, evidence supporting allegations of jurisdiction, infringement, and damages presented by Prep Solutions stands un rebutted.

11. Based on Defendants' default and evidence of their infringement Prep Solutions has submitted, Defendants have admitted to willfully infringing the Copyrighted Exams are liable

for enhanced statutory damages under 17 U.S.C. § 504(c) in the amounts set forth in the entry of judgment below.

12. The Court also finds it appropriate to enter an order enjoining Defendants and their subsidiaries, successors, assigns, officers, directors, agents, servants, employees, attorneys, and persons in active concert or participation with them (including any affiliated entities) from infringing the Copyrighted Exams, including transferring to Prep Solutions the Defendants' domains used to carry out their infringing activities as specified in the Court's order below.

13. Prep Solutions has presented sufficient evidence to establish that it has suffered an irreparable injury because of Defendants' infringement of the Copyrighted Exams, that remedies available at law, such as monetary damages, are inadequate to compensate for its injuries, that the balance of hardships between the parties favors a remedy in equity, and that the public interest would not be disserved by a permanent injunction.

14. Absent a permanent injunction, Defendants are likely to use, sell, or distribute Prep Solutions' Copyrighted Exams, which will result in immediate and irreparable injury to Prep Solutions in the form of continued loss of market share, the loss of Prep Solutions' exclusive copyrights, and harm to Prep Solutions' goodwill and reputation for providing premium products.

15. Further, Prep Solutions has presented sufficient evidence to establish that absent the entry of a permanent injunction, Defendants are likely to continue to offer for sale, sell, and distribute pirated Copyrighted Exams into this District, Texas, United States.

ENTRY OF JUDGMENT

Based on these findings and conclusions, the Court enters judgment as follows:

16. Pursuant to 17 U.S.C. § 501(a), Defendants have willfully infringed Prep Solutions' registered copyrights as set forth in paragraphs 2 and 3 above.

17. Pursuant to 17 U.S.C. § 504(c), Prep Solutions is entitled to statutory damages against each Defendant as follows:

| Defendant | Copyrighted Exam(s) Distributed on Defendant's Website(s) as of Complaint | Damages Requested |
|--|--|--|
| Techono Ltd. | AZ-104, AZ-204, AZ-500, AZ-900, MS-100, MS-700, MS-900, PL-100 | \$1,200,000 (\$150,000 per infringed work) |
| ASoft Solutions 4Team | MD-100, MD-101, AZ-500, MS-700, PL-100, AZ-204, AZ-500, AZ-104 | \$800,000 (\$100,000 per infringed work) |
| Elephant Projects | MS-900, PL-100, DP-100 | \$450,000 (\$150,000 per infringed work) |
| Xcerts.com | AZ-500, AZ-900 | \$200,000 (\$100,000 per infringed work) |
| ExamPoster | AZ-204 | \$100,000 (\$100,000 per infringed work) |
| Certbus.com (also d/b/a Lead4Pass.com and Pass4Lead.com) | MS-900, PL-100, 98-349, 98-375, AZ-500, AZ-900 | \$800,000 (\$150,000 per infringed work for the exams that continue to be infringed, and \$100,000 per exam for the exams coming soon) |
| ExamHighPass (also d/b/a CertPixel) | MS-100, MS-700 | \$200,000 (\$100,000 per infringed work) |
| | | Total: \$3.75 million |

18. Pursuant to 17 U.S.C. § 503(b) the Court **ORDERS THE IMPOUNDMENT AND DESTRUCTION** of the copies of the Copyrighted Exams in Defendants' possession. To give effect to this order, Defendants are to provide Prep Solutions' counsel, within fourteen court days after the date of this Order, all purported copies of the Copyrighted Exams in the possession, custody, or control of Defendants and/or their agents and service providers. The infringing copies of the Copyrighted Exams will then be destroyed upon receipt.

19. The Court hereby **PERMANENTLY RESTRAINS AND ENJOINS** Defendants, and any persons or entities acting on their behalf, from advertising, distributing, selling, or making other infringing use of Prep Solutions' Copyrighted Exams. To this end, Defendants are forever prohibited from creating new websites or registering new domain names to distribute the Copyrighted Exams.


20. The Court hereby **ORDERS THE TRANSFER** of the following domains to Prep Solutions within 14 days of the date of this order:

| Defendant | Defendant's Domains to be Transferred to Prep Solutions |
|---|---|
| Techono Ltd. | www.dumpsarena.com |
| | www.dumpsboss.com |
| ASoft Solutions 4Team | www.vceplus.io (vceplus.com redirects traffic to vceplus.io) |
| | www.vceguide.com |
| | www.vceup.com |
| | www.vuetut.com |
| Elephant Projects | www.testpreptraining.com |
| Xcerts.com | www.xcerts.com |
| ExamPoster | www.examposter.com |
| Certbus.com (also d/b/a Lead4Pass.com and Pass4Lead.com) | www.certbus.com |
| | www.lead4pass.com |
| | www.pass4lead.com |
| ExamHighPass (also d/b/a CertPixel) | www.examhighpass.com |

21. The Court hereby **PERMANENTLY RESTRAINS AND ENJOINS** Defendants, and any persons or entities who are in active concert or participation with them, from transferring, removing, or disposing of any infringing copies of the Copyrighted Exams in their possession, custody, or control. Any copies of the Copyrighted Exams in Defendants' possession must be transferred to Prep Solutions' counsel according to paragraphs 2-3 and 18 of this Order.

So Ordered this

Mar 19, 2025


 RODNEY GILSTRAP
 UNITED STATES DISTRICT JUDGE